

UNITED STATES OF AMERICA, )  
 )  
 v. ) ORDER  
 )  
 JOSEPH CHRISTOPHER BOYDEN )

months, for a total term of 183 months, to better reflect the intent of the government's downward departure motion, (see id. at 3-4), and that such a reduction would satisfy the relevant 18 U.S.C. § 3553(a) factors, (see id. at 4-6).

When the court recently considered reducing defendant's sentence, it recognized that at sentencing, on the second 924(c) count, defendant "faced a mandatory minimum 25-year consecutive term of imprisonment." (12/22/20 Order, DE # 130, at 4 (citations omitted).) It further recognized that at sentencing and on the government's motion for downward departure, the court imposed a consecutive sentence of 139 months on this count, representing approximately one half of the mandatory minimum term. (Id.) Incidentally, that amount was lower than what the government requested. (See Mot., DE # 63, ¶ 3.)

In determining the appropriate reduction to defendant's sentence under § 3582(c)(1)(A)(i), the court applied a similar reduction, i.e., 50%, of what defendant's punishment on the second 924(c) count would be under current law. (See 12/22/20 Order, DE # 130, at 5.) Today, defendant would be subject to a 120-month mandatory minimum consecutive term on the second § 924(c) count. (Id. at 4.) Departing 50% from that term results in 60 months (consecutive), and when combined with the previously imposed terms, is a total term of 221 months imprisonment. (Id. at 5 n.3.) This rationale is consistent with the court's original intent at sentencing and represents an appropriate sentence considering all the circumstances.

Accordingly, defendant's motion for reconsideration is DENIED.

This 4 February 2021.



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W. Earl Britt  
Senior U.S. District Judge